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FILED
APR 29 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

RMW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CV 08

2238

CASE NO. CV-94-0031

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

(PR)

United States Plaintiff,
vs. America

Elias Hernandez Defendant.

I, Elias Hernandez, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes No

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: None Net: None

Employer: Forms. Not Motion to discharge or dissolve
writ attachment, 6A Federal Procedure Forms, L
Ed. Creditor's provisions, Remedies 19-72.

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 I was working in the Dept of creation - Area
 5 OV
 6 Aircraft.

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes No ✓
 10 self employment
 11 b. Income from stocks, bonds, Yes No ✓
 12 or royalties?
 13 c. Rent payments? Yes No ✓
 14 d. Pensions, annuities, or Yes No ✓
 15 life insurance payments?
 16 e. Federal or State welfare payments, Yes No ✓
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 Spouse's Name: Mr. & Mrs. V. N. C. + Hibrids V. Youers
 22 Ref. Ass'n Z19 Neb. 296, 363 D.W. 20 362 (1985 related
 23 reference Z28 Neb 306 422 D.W. 20 342 (1988).
 24 3. Are you married? Yes No ✓

25 Spouse's Full Name: Eliot Hernandez

26 Spouse's Place of Employment: NIA

27 Spouse's Monthly Salary, Wages or Income:

28 Gross \$ Net \$

29 4. a. List amount you contribute to your spouse's support: \$

4 THEIR NAMES.).
5 Bros. - G. S. Okla. 261, 164 P. 663 (1917).
6 Black Hill Mercantile Co. v Bender 59, 5 D 241
7 1931, 883, 88 A.L.R. 585 (1931). No. 8

5. Do you own or are you buying a home? Yes No

8 Estimated Market Value: \$ 123,000 Amount of Mortgage: \$ 90,000

9 6. Do you own an automobile? Yes No

9 6. Do you own a car? _____
10 Make _____ Year _____ Model _____

11 Is it financed? Yes No If so, Total due: \$ 9

12 Monthly Payment: \$ 9

13 7. Do you have a bank account? Yes No (Do not include account numbers.)

14 Name(s) and address(es) of bank: U / A

15

16 Present balance(s): \$ 4
17 Do you own any cash? Yes No Amount: \$ 4

17 Do you own any cash? Yes No
18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated value.)

19 market value.) Yes No

20

21 8. What are your monthly expenses?

22 Rent: \$ 1 Utilities: R/R

23 Food: \$ Clothing: / /

24 Charge Accounts: Monthly Payment Total Owed on This Ac

25 Name of Account Monthly Payment _____
\$ _____ \$ _____

26 _____ \$ _____
27 _____ \$ _____

27 _____ + _____
28 _____ \$ _____ \$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)
3 PJA
4

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ✓ No
7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.

9 CHI005L. Send. Appeal. 2255 AND 2254
10 SAW Francisco AND Justice CA

11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15 3-4-08
16 DATE

Elias Hernandez Jr.
17 SIGNATURE OF APPLICANT

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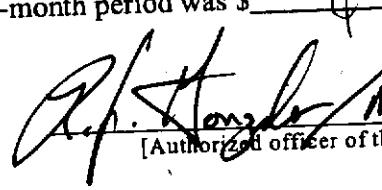
1 Case Number: Cr. 94005 L
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12 **CERTIFICATE OF FUNDS**
13
14 **IN**
15 **PRISONER'S ACCOUNT**
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19 I certify that attached hereto is a true and correct copy of the prisoner's trust account
20 statement showing transactions of Elias Hernandez for the last six months
21 M.C. - Springfield, Miss. [prisoner name]
22 [name of institution] where (s)he is confined.

23 I further certify that the average deposits each month to this prisoner's account for the
24 most recent 6-month period were \$ 0 and the average balance in the prisoner's
25 account each month for the most recent 6-month period was \$ 0.
26

27 Dated: 4/4/08

28 
R. H. Hough Mental Health Unit
[Authorized officer of the institution]
Counselor.